

REMARKS

Claims 1 – 20 are pending and under consideration in the above-identified patent application.

In the Office Action, Claims 1 – 20 were rejected.

In this Amendment, Claims 1, 6, 11, and 16 are amended. No new matter has been introduced as a result of this Amendment.

Accordingly, Claims 1 – 20 are at issue.

I. Objection to the Specification

As requested by the Examiner, Applicants have amended the Title of the application to conform it to the Title listed on the Specification, and Oath and Declaration.

Accordingly, Applicant respectfully requests withdrawal of this objection.

II. Objection to the Drawings

As requested by the Examiner, Applicants have amended FIGs. 1, 2A-2C, 3A – 3C to include the legend “Prior Art.” No new matter has been added as a result of this figure amendment.

Accordingly, Applicant respectfully requests withdrawal of this objection.

I. 35 U.S.C. § 102 Rejections of Claims

Claims 1 – 4, 6 – 9, 11 – 14, and 16 – 19 were rejected under 35 U.S.C. § 102(e) as anticipated by Patton et al. (U.S. Patent No. 6,144, 415). Applicant respectfully traverses the claim rejection.

Claim 1 is directed to a data combining apparatus.

In relevant part, Claim 1 recites:

“...a control unit for correcting a timing for processing or generation to make the processing unit or the data generation unit perform the predetermined processing or data generation based on the timing information generated by the timing information generation unit.”

That is, the claimed control unit corrects a processing or generation timing so that the processing unit or the data generation unit perform the predetermined processing or data

generation based on the generated timing information.

This is clearly unlike Patton. The Examiner asserts that Patton teaches the claimed control unit and points to the Abstract, col. 8, line 20+, and col. 16, lines 30-50. However, Applicants submit that Patton in fact teaches a quincunx subsampler that takes already processed or generated image samples and calculates a switch time so that they are taken in the sample pattern, rather than corrects a processing or generation timing so that the processing unit or the data generation unit perform the predetermined processing or data Generation, i.e., process or generate image samples, based on the generated timing information, as required by Claim 1.

Thus, Claim 1 is patentable over Patton, as are dependent Claims 2 – 4, for at least the same reasons.

Independent Claims 6, 11, and 16, each of which recites the same distinguishable feature as that of Claim 1, are also patentable over Patton, as are their respective claims.

Accordingly, Applicant respectfully requests that this claim rejection be withdrawn.

II. 35 U.S.C. § 103 Obviousness Rejection of Claims

Claims 5, 10, 15 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Patton.

Claims 5, 10, 15 and 20 are dependent on allowable Claims 1, 6, 11 and 16, respectively, are also patentable over Patton.

Accordingly, Applicant respectfully requests that these claim rejections be withdrawn.

III. Conclusion

In view of the foregoing, it is submitted that the application is now in condition for allowance with Claims 1- 20. Notice to that effect is respectfully requested.

If the Examiner finds that there are any outstanding issues which may be resolved by a telephone interview, the Examiner is invited to contact the undersigned at the below listed number.

Respectfully submitted,

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